

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20054**

IN THE MATTER OF

**THE NATIONAL THOUSANDS-BLOCK
NUMBER POOLING ROLLOUT SCHEDULE**

)
) **CC DOCKET NO. 99-200**
)
)
) **DA 01-2419**
)

**MOTION OF THE STATE OF IDAHO
TO ACCEPT LATE-FILED SUPPLEMENTAL COMMENTS**

COMES now the State of Idaho by and through the Idaho Public Utilities Commission (IPUC) and hereby requests the Commission accept these late comments. In its Notice seeking comment on the National Thousands-Block Number Pooling Rollout Schedule released October 17, 2001, the Commission requested that initial comments be filed no later than November 6, 2001. The IPUC now seeks to supplement its initial timely-filed comments with the attached IPUC Order No. 28902 issued December 5, 2001.

The attached IPUC Order addresses how Idaho's placement on the national number pooling rollout schedule could affect the need for area code relief in the 208 NPA. This recent Order merely updates the IPUC's initial comments and its delay should not result in any hardship to the Commission or other parties. Accordingly, the IPUC requests that the Commission accept this late supplemental filing.

RESPECTFULLY submitted this 7th day of December 2001.



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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF THE)	
NORTH AMERICAN NUMBERING PLAN)	CASE NO. GNR-T-00-36
ADMINISTRATOR FOR THE APPROVAL OF)	
NUMBERING PLAN AREA RELIEF FOR THE)	
208 AREA CODE.)	ORDER NO. 28902
_____)	

On November 9, 2000, NeuStar - the North American Numbering Plan Administrator (Administrator or NANPA) – filed a petition requesting the Commission approve a plan to add a new area code to the existing Idaho 208 Numbering Plan Area (NPA). In this Order, the Commission finds that Idaho does not need a new area code if the requisite tools (e.g., number pooling) are made available to the Commission so that it can conserve existing telephone numbers before the projected exhaust date. In the event that Idaho is not permitted to timely optimize its existing telephone numbers, the Commission finds it appropriate to geographically split Idaho into three regions. Given that it has the shortest projected exhaust and the fastest growth rate, the Commission orders that the southwestern region retain the 208 area code; northern and southeastern Idaho shall each receive new area codes.

I. PROCEDURAL HISTORY

NeuStar is appointed by the Federal Communications Commission (FCC) to manage the exhaustion and issuance of telephone area codes. In its Petition, the Administrator projected that Idaho’s 208 area code would run out of telephone numbers (i.e., “exhaust”) in the first quarter of 2003. In May 2001, NeuStar updated its projection to indicate that the supply of telephone numbers for the 208 area code will exhaust during the third quarter of 2003. The Administrator’s Petition represents that it was filed on its own behalf and that of “the Idaho Telecommunications Industry” (Industry), which the Petition states “is composed of current and prospective telecommunications carriers operating in, or considering operations within, the state of Idaho.”

The Petition asserts that the Administrator convened a telecommunications industry meeting in Boise on September 28, 2000, to review and discuss alternatives for relief of the 208 NPA. The meeting participants apparently reached a consensus to recommend an all-services

distributed overlay plan to the Commission as the preferred means of 208 NPA relief. The Petition recommends, if the Commission approves the proposed overlay plan, that permissive 10-digit dialing begin on January 12, 2002, and the conversion to mandatory 10-digit dialing begin on July 13, 2002. The Petition states that adherence to the proposed time frame will avoid the denial or delay of services to telecommunications customers due to the unavailability of telephone numbers.

Following receipt of NeuStar's Petition, the Commission issued a Notice of Petition on January 2, 2001. The Notice set an intervention deadline of January 29, 2001. Century Telephone of the Gem State, Century Telephone of Idaho, Potlatch Telephone Company, Troy Telephone Company, Idaho Telephone Association, Qwest Corporation, Verizon Northwest, and Verizon Wireless requested and were granted intervenor status. IDAPA 31.01.01.071 and -.075.

In Order No. 28819, the Commission discussed the possibility of a technology-specific overlay, an option not presented in the Petition, as well as two preferred options to effectuate a geographic split of area codes in the event a technology-specific overlay is found to be infeasible or undesirable. The Commission also directed that this case be processed under Modified Procedure and established a written comment deadline of September 13, 2001. In Order No. 28859, the Commission scheduled four public workshops and hearings in Twin Falls, Coeur d'Alene, Boise and Pocatello. The Commission also extended the comment deadline until November 13, 2001 to facilitate this additional public input.

II. THE COMMISSION'S ROLE AND AREA CODE GUIDELINES

The approved area code relief plan should "seek to minimize end user confusion" while balancing "cost-effectiveness, minimum customer impact, and long-lasting relief."¹ The Public Utilities Commission's role is to review and recommend a relief plan for Idaho. Before it will assign a new area code, the FCC requires that the relief plan recommended and approved by the Idaho Public Utilities Commission comply with the constraints set forth in its "NPA Code Relief Planning & Notification Guidelines" (Guidelines). For example, the Guidelines require that geographic NPA boundaries follow rate center or telephone exchange boundaries.² Furthermore, the relief options must extend for a period of at least five years beyond the

¹ NPA Relief Planning and Notification Guidelines at § 2.4.

² *Id.* at § 2.11

predicted exhaust date.³ The FCC also mandates that the relief plan shall result in the most effective long-term use possible of all area codes serving a given area. Ideally, the area codes in given geographic splits should exhaust about the same time. Although this may not be possible in practice, the FCC requires that severe imbalances resulting in a difference in NPA lifetimes of more than 10 years be avoided.⁴ The FCC also recommends that customers who undergo number changes not be required to change again for a period of 8 to 10 years.⁵

III. THE RELIEF ALTERNATIVES

A. Geographic Split

Geographic split relief options would draw a line through the existing area code, assigning a new area code to telephone customers on one side of the line and retaining the existing area code for customers on the other side of the line.⁶ Geographic splits permit 7-digit local dialing (XXX-XXXX) within both the new and existing NPAs. However, local dialing across the new NPA boundary would require 10 digits (XXX-XXX-XXXX). Area codes would be associated with specific areas and customers in the new area code would keep their 7-digit number but be assigned the new area code. This method was chosen for practically all area code relief prior to 1995.⁷

B. All-Services Overlay

To implement an area code with an all-services overlay, a second area code would be added (or laid over) to the same geographic area as the existing area code. An overlay thus allows multiple area codes for each geographic area with no division of the area covered by the original NPA. All existing phone numbers would retain the original area code, but new telephone customers would receive the new overlay area code. However, all telephone calls made in the overlay area would require 1+ 10-digit or 10-digit dialing – even calls currently

³ *Id.* at § 5(a).

⁴ *Id.* at § 5(h).

⁵ *Id.* at § 5(e).

⁶ The description of the overlay and geographic split options in the following paragraphs were adapted from “An Introduction to Numbering” issued by the North American Numbering Plan Administrator (NANPA) on September 28, 1999.

⁷ NPA Relief Planning and Notification Guidelines at § 6.1.

dialed with 7 digits in the same area code.⁸ The overlay alternative would not cause any current telephone customers to change their 208 area code, would have a longer projected life than any of the geographic splits and would not reduce the geographic size of the NPA.

C. Technology-Specific Overlay

A technology-specific overlay would allow some technologies to keep the current 208 area code while requiring others to change. This option could, for example, allow all wireline telephone customers in Idaho to retain the 208 area code, while wireless (e.g., cellular, PCS) customers and pagers would have a new area code. This option, if allowed by the FCC, would likely allow wired telephone customers more years of area code stability and would allow other number conservation efforts to further extend area code lives. This option would also require 10-digit dialing to differentiate between the two area codes.

NeuStar's Petition did not mention the possibility of a service-specific or technology-specific overlay, presumably because such an overlay is currently prohibited by the FCC. However, the FCC appears to be reconsidering this prohibition. On December 29, 2000, the FCC said:

We conclude that we should revisit the prohibition against service-specific and technology-specific overlays. We are persuaded by commenters who argue that this action is warranted by changes in the use of numbering resources that have occurred since the Commission's previous decisions. State commissions, in particular, have urged that we permit them to implement service and technology-specific overlays to address the escalating demand for numbering resources. They argue that there is widespread public support for such overlays, especially as a means of avoiding new area codes for home and business phones. By temporarily diverting a portion of the demand for numbering resources in existing area codes, implementation of service- or technology-specific overlays may help ease the transition to needed area code relief prior to the complete implementation of pooling, reducing end-user costs and inconveniences.

Second Report and Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 (¶ 128)(December 29, 2000).

⁸ 47 C.F.R. § 52.19(c)(3)(ii).

IV. THE RECORD

A. Telecommunications Industry Comments

Verizon Northwest, AT&T Wireless Services, AT&T Communications of the Mountain States, Verizon Wireless, VoiceStream Wireless, Cricket Communications, Qwest Corporation, Qwest Wireless, and the Troy and Potlatch Telephone Companies filed comments with this Commission. Their comments uniformly recommend an all-services overlay because it would: 1) create cost savings for consumers and the industry; 2) not require consumers to change telephone numbers; 3) be easier for consumers to understand; 4) maximize the life expectancy of the new NPA; and 5) allow subsequent relief projects to be implemented more easily.

These telecommunications companies do not recommend a geographic split option because it: 1) creates “winners and losers”; 2) creates substantial costs borne primarily by telecommunications providers and their customers; 3) creates dialing confusion; 4) often has inaccurate growth forecasts; and 5) the FCC may limit 7-digit dialing if it adopts a national dialing plan. They also reject implementation of a technology-specific overlay plan because it would: 1) impede competitive dialing parity and thus be discriminatory; 2) create inefficient number assignment; 3) would likely require existing wireless to change numbers; and 4) take too long to obtain proper FCC authorization.

Wireless providers were also concerned that a geographic split would inconvenience wireless customers who would be forced to bring their cell phones back to their provider to get them reprogrammed with the new area code and greatly increase the workload of wireless call center employees. In the event that the Commission implements a geographic split, wireless providers generally requested: 1) wireless telephone numbers be “grandfathered” to avoid the manual reprogramming of wireless phones; and/or 2) an extended permissive dialing period to accommodate handset reprogramming.

B. Commission Staff Comments

While the comments of the Commission Staff generally cited the pros and cons of overlays, Staff ultimately recommended that a geographic split be implemented based on the strong public preference for this method. More specifically, Staff suggested that a two-way split be adopted, thus splitting the state’s population approximately in half and retaining 208 in southwestern Idaho. Staff also indicated that a great deal of public education will be required to make the transition to a new area code as smooth as possible. Staff suggested implementing a

combination of educational approaches such as bill-stuffers, press releases, public announcements, and perhaps workshops in schools, businesses, retirement facilities and community centers.

C. Written Public Comments

The Commission received approximately 314 written public comments responding to the Notice of Petition issued on January 2, 2001 and the Commission's request for comment in Order Nos. 28819 and 28859. Ninety-one (91) additional people signed four petitions requesting a geographic split of the 208 NPA. The vast majority of commentators objected to dialing 10 digits for local calls, which was often described as "unreasonable" and "unnecessary." Many indicated that 10 digits would be difficult to remember, especially for seniors and children, and difficult to dial in an emergency. Several people indicated that an overlay would only benefit telephone companies, which would profit from reduced change-over costs and a higher volume of directory assistance calls.

Although supporters of a geographic split sometimes preferred to retain the 208 NPA in their region, the majority did not indicate a preference for which portion of the state should keep the 208 NPA. Moreover, many were willing to take the new NPA to avoid the overlay's 10-digit dialing. Others indicated that 208 should be assigned to the most rapidly growing area or to the area with the most customers.

Even though Order No. 28859 did not list a three-way geographic split as a preferred option, twenty-one (21) of the written comments expressly requested that it be considered. Proponents of a three-way split felt that it would save time and money to divide Idaho into its three natural geographic regions, especially if a third area code would soon be needed anyway. Moreover, it would preserve the regional identity associated with area codes.

Only ten (10) people gave their written support for an all-services overlay. A few supporters had previous experience with an overlay while living in another state. They did not have problems with the overlay and felt that 10-digit dialing was inevitable. Several business owners advocated this option because it would minimize their costs of changing equipment and telephone numbers and allow their customers to continue dialing the same number. The fourteen (14) individuals who requested a technology-specific overlay generally felt that since technological advancements have largely created the need for a new area code, those customers

using cellular phones, pagers, FAX machines, second residential lines, etc., should receive the new area code.

D. Public Hearing Testimony

During the four hearings held throughout Idaho in October and November 2001, 25 individuals testified before the Commission. Of those that testified, 22 witnesses preferred a geographic split. Geographic split proponents argued that customers prefer to associate each NPA code with a unique geographic area so that they can discern the geographic location of a telephone number. A Pocatello resident echoed the sentiments of several witnesses when she testified that “an ‘area code’ means an area, not whether you are a new customer or an old customer.” Tr. at 101. Proponents further asserted that mandatory 10-digit dialing across the entire existing 208 NPA would cause confusion by making it difficult for customers to distinguish between local and toll calls. Other witnesses were concerned that implementing an overlay would reduce future area code relief options and unduly burden private telephone systems.

Seven geographic split enthusiasts specifically suggested a three-way split. Voicing the thoughts of others present at the Boise hearing, a Kuna resident testified that “the Commission ought to seriously look into the numbers available to us” because “none of that [area code relief] is necessary if we use the numbers that we have.” Tr. at 37 and 39. However, if a new area code is needed, he recommended a judicious three-way geographic split. Tr. at 39. A Coeur d’Alene resident reasoned that a three-way split would allow customers to “still understand . . . and have a sort of personal identification with where those numbers that we are dialing are going to.” Tr. at 17. State Representative Don Pischner also requested a three-way split, stating that Idaho’s rapid growth rate, regional geography, and hubs of commerce support this type of relief plan. Tr. at 29.

Three large business representatives recommended that the Commission implement an overlay. While Verizon and VoiceStream Wireless appreciated the overlay’s simplicity and customer convenience, Hewlett-Packard was concerned that a new area code would disrupt the nearly 14 million customer service calls it receives annually at its Boise customer support center. However, in the event that a technology-specific or all-services overlay was not approved, Hewlett-Packard endorsed a properly balanced three-way geographic split because it “likewise avoids future disruption and inconvenience.” Tr. at 47.

V. NUMBER CONSERVATION AND OPTIMIZATION

Although Idaho is the thirteenth largest state geographically, it has a relatively small population of approximately 1.3 million people. Of the 792 prefixes (7.9 million telephone numbers) available for assignment in Idaho's 208 NPA, approximately 578 were in use as of November 1, 2000. Within those 578 prefixes, just 2.14 million (37%) of the telephone numbers were assigned. Such inefficient number assignment, coupled with technological innovation and the advent of competition, has driven the exhaust of "208."

The Commission and its Staff are presently pursuing several number conservation measures⁹ that could forestall the need for a new area code if timely implemented.

A. Number Reclamation

Telecommunications industry guidelines specify a process by which the Administrator can reclaim prefixes¹⁰ that have been assigned to carriers but which are not in use. Upon giving 60 days notice to the Administrator, states can assume authority to reclaim prefixes that have been assigned but not activated by telecommunications carriers within 6 months. Because number reclamation may postpone the exhaust of the 208 area code, the Commission and its Staff gave notice to the Administrator on October 4, 2001 that it seeks to assume reclamation authority.

Commission Staff has already made several calls to telecommunications providers that have not used their prefixes within their respective six-month periods. As a result of Staff efforts, 18 prefixes have been voluntarily returned by two companies thus far. Furthermore, 12 prefixes will soon become available that were previously protected from use. Staff will continue to contact telecommunications providers with reclaimable numbers as these six-month deadlines occur.

B. Rate Center Consolidation

Calls are routed between rate centers, which represent specific geographic areas, much like the postal service uses zip codes to route mail. Although an area code contains many separate rate centers, prefixes are assigned to carriers for use within a single rate center to

⁹ The description of the conservation measures found in the following paragraphs was adapted from "An Introduction to Numbering" issued by NANPA on September 28, 1999.

¹⁰ A prefix is the first three numbers in a seven-digit local phone number and is known within the telecommunications industry as "NXX."

prevent improper billing or routing of calls. By consolidating rate centers, carriers are able to serve larger areas with fewer prefixes, thereby reducing the need for numbers. Although it may not postpone exhaust of the 208 area code, rate center consolidation is a foundation that defines the effectiveness of other number conservation efforts. In the case of number pooling, numbers will be pooled for use by other carriers *within* a rate center.¹¹

The Commission has pending a Rate Center Consolidation request of Qwest in Case No. GNR-T-99-21. Qwest serves approximately 70% of the wireline customers in Idaho and has local number portability. If approved by the Commission, Qwest would consolidate 44 of its Idaho rate centers into 8 rate centers.

C. Number Pooling

Thousand-block number pooling allows phone numbers to be allocated to service providers in blocks of 1,000 numbers instead of the existing, network-mandated 10,000 numbers. The remaining 9,000 numbers in the prefix are thus available to other providers in the same rate center. By conserving numbers and providing for more efficient number utilization, number pooling can significantly extend the life of an area code.

Starting in March 2002, NeuStar, the FCC's National Thousand-block Number Pooling Administrator, will establish number pools in approximately 21 NPAs each quarter. NeuStar will initially concentrate on those NPAs in the largest 100 Metropolitan Statistical Areas (MSAs) or that are already in jeopardy circumstances.¹² States with pooling trials that commenced before March 2002 will be transitioned into the national program prior to the national pooling rollout. According to the FCC's proposed schedule, thousand-block pooling will reach the Boise MSA in the fourth quarter of implementation, or March 2003. According to current target dates, pooling will currently reach Idaho two months after mandatory dialing of the new NPA would begin.

To avoid this result and delay exhaust of the 208 NPA, the Commission petitioned the FCC on November 6, 2001 requesting that the Boise MSA be moved ahead to the Second Quarter in its proposed thousand-block pooling rollout schedule. If approved, pooling Boise's telephone numbers will effectively extend the life of the 208 NPA.

¹¹ *Numbering Resource Optimization First Report and Order*, 15 FCC Rcd at 7581, ¶ 117 (March 31, 2000).

¹² FCC Public Notice, *The Common Carrier Bureau Seeks Comment on the National Thousand-block Number*

Commission Findings:

Idaho's area code relief is a bureaucratic exercise, and a preventable one at that. Idaho does not need a new area code if it can access some of the 5.78 million unused telephone numbers remaining in the 208 NPA. The Commission finds that number reclamation, rate center consolidation and especially thousand-block number pooling have significant potential for promoting the efficient number usage. These measures could dramatically prolong the life of the 208 NPA if implemented as soon as possible. Idaho has some of these conservation tools available, but desperately needs the FCC to immediately implement number pooling in Idaho to prevent the premature exhaust of 208.

Number pooling has been very successful in other states. Maine - which like Idaho has a single NPA and a regional carrier serving 85% of its wirelines – has thus far extended its “207” NPA by more than three years since it implemented number pooling in June 2000. The NPA exhaust projections of Illinois’ “847,” New Hampshire’s “603,” and Nebraska’s “402” were also extended by at least 3 years when number pooling was instituted in their respective NPAs. Idaho deserves a similar opportunity and we urge the FCC to rule favorably on our request to move the Boise MSA ahead in its pooling schedule. This would enable Idaho to forestall implementation of a new area code by timely pooling numbers in Idaho.

VI. AREA CODE RELIEF PLAN

Commission Findings:

Although conservation measures may delay the need to implement a new area code, the FCC makes it clear that number conservation is not a substitute for area code relief.¹³ In the event that the FCC does not move the Boise MSA up in its number pooling schedule in time to delay the exhaust of the 208 NPA, an area code relief plan must be implemented.

In choosing an area code relief plan, we have attempted to balance several public interests goals. These goals include: 1) minimizing customer impact and confusion; 2) maximizing cost-effectiveness; 3) creating long-lasting area code relief; and 4) providing relief to the entire state as fairly as possible. The following specific findings are based on evidence

Pooling Rollout Schedule, CC Docket 99-200, DA, 01-2419 (October 17, 2001).

¹³ *Pennsylvania Numbering Order*, 13 FCC Rcd at 19027, para. 26 (September 28, 1998); *see also Numbering Resource Optimization First Report and Order*, 15 FCC Rcd at 7581, para. 7 (March 31, 2000).

received through public hearings, written comments, and input from local governments and businesses.

1. Technology Specific Overlay. Because the FCC has not lifted its prohibition on the use of technology-specific overlays, the Commission finds that a technology-specific overlay would be inappropriate at this time. Moreover, it is doubtful that this type of overlay would significantly lengthen the life of the 208 area code without requiring current wireless customers to change their number to the new area code. Thus, we discard the technology-specific overlay from consideration.

2. All-Services Overlay. We agree with Idaho's Telecommunications Industry that an all-services overlay has several desirable attributes, which were previously described in the Industry's comments. However, the Commission finds it impossible to ignore the testimony of customers, who have indicated their preference for a geographic split with near unanimity. Based on their comments, most Idahoans do not care how the state is divided or which region keeps the 208 NPA so long as they do not have to dial the 10-digits associated with an overlay. The evidence placed before the Commission regarding customer impacts and preference clearly tips the scale in favor of a geographic split.

During the Boise hearing, one telecommunications company witness likened Idaho's situation to that of Texas, which recently decided to implement an overlay. However, Idaho is not similar to Texas, which had already undergone multiple geographic splits before approving an urban overlay. Moreover, the Texas Commission's Staff Comments¹⁴ noted that:

while geographic splits have historically been preferred over overlays, citizens now, through exposure to 10-digit dialing in Dallas, Fort Worth or Houston, are finding overlay more acceptable. The public appears to be willing to modify their dialing pattern more so than change their area code.

The Texas Public Utility Commission also indicated that "overall public comment indicated a preference for an all-services distributed overlay."¹⁵ Unlike Texas, Idaho's dialing public has made it clear that they would much rather change their area code than dial 10 digit telephone numbers for every call.

¹⁴ Staff Memorandum to the Commissioners' Offices of the Public Utility Commission of Texas, Project No. 22749, *Numbering Plan Area Relief Planning for the 903 Area Code* dated October 4, 2001 at 4.

¹⁵ *Preliminary Order Adopting Numbering Plan Area Relief*, Public Utility Commission of Texas, Project No. 22749 at 6.

Although Maryland, Washington and Virginia have overlays that encompass approximately half of their respective borders, this Commission is not aware of a state that has adopted an overlay over its entire area. Other states have generally implemented overlays in urban metropolitan areas only after instituting several geographic splits first. Given that the vast majority of our state is rural, an all-services overlay is neither beneficial nor practical for the entire State of Idaho.

3. Three-Way Geographic Split. Although Order No. 28859 sought comments on two preferred geographic split options, a significant number of commentators asked us to consider dividing Idaho into three regions - northern, southwestern and southeastern. These individuals argued that a three-way split is logical because Idaho's geography and communities of interest naturally form three regions. As witnesses from northern Idaho testified, a three-way split is also appealing because it would achieve a solution that would last for a significant number of years yet allow southwestern Idaho to have future area code relief without impacting the rest of the state. Moreover, the public made it clear that they do not think it is acceptable to exhaust in just eight years.

Pursuant to its delegated authority under 47 C.F.R. § 52.19, the Commission finds that Idaho shall be divided into three regions, each with its own area code as illustrated in the Attachment to this Order. This division preserves local calling areas and follows Idaho's natural geographic regions, population, and communities of interest.

The northern "panhandle" area of Idaho shall extend from the Canadian border south to include the Grangeville and Elk City rate centers. Most of these exchanges were aligned with the Spokane LATA¹⁶ or the then GTE Northern Idaho market area. LATAs were to encompass contiguous local exchange areas possessing common social, economic and cultural interests. As northern Idaho's inclusion in the Spokane LATA recognized, our northern region possesses common interests separate from the rest of the state. Unlike southern Idaho, the northern area is

¹⁶ A LATA (local access and transport area) is a geographic area designated by the United States District Court in the Modification of Final Judgment in the divestiture of AT&T and the Bell Operating Companies (BOCs). The LATAs were created to facilitate the division of assets between AT&T and the BOCs, and to mark the boundaries within which the BOCs could transport calls. These areas were to usually no more than one statistical metropolitan area and to be located in only one state. *United States, v. American Tel. & Tel. Co.*, 552 F.Supp. 131, 229 (1982) aff'd sub nom, *Maryland v. United States*, 460 U.S. 1001 (1983). As approved by the Court, all of the U S WEST (now known as Qwest) exchanges south of the Salmon River are included in a single LATA, called the Idaho LATA. A statewide exemption was permitted for eight exchanges served by U S WEST in north Idaho, which is included in the Spokane LATA.

predominantly in the Pacific Time Zone. The largest city in northern Idaho, Coeur d'Alene, is nearly 400 miles from Boise but only 33 miles from Spokane, Washington. Moreover, northern Idaho has a different climate and is separated from southern Idaho by several mountain ranges that are often difficult to travel in the winter. Due to this mountainous terrain, northern Idaho's economy is predominantly dependent on mining, recreation, and forest products.

By dividing Idaho at the northern boundary of the White Bird rate center, Idaho County will be split between the northern and southwestern regions. As a witness from Kamiah explained in the Boise hearing, the White Bird rate center currently has local calling with Riggins and McCall but not with the county seat of Grangeville. Tr. at 64. No direct network facilities exist between Grangeville and White Bird, which are each served by different local telephone companies. If the Commission had split these regions at the Idaho County line, 10-digit dialing would have been required for some local calls in the White Bird, Riggins, New Meadows and McCall rate centers. Consequently, the Commission finds it necessary to split Idaho County in order to preserve existing 7-digit dialing.

The southwestern area code will encompass the White Bird rate center south to the Nevada border and include the Treasure Valley, Lowman, and the Glenns Ferry rate centers. This region contains the Boise MSA, which has experienced significant population and business growth in the past decade. Boise acts as the regional hub where Treasure Valley residents converge for their educational, shopping, and business needs. Most telephone customers (90%) in the southwest region have local calling within or into the Treasure Valley calling area. This represents approximately 40% of Idaho's telephone customers. The Commission finds it prudent to limit the size of this fast-growing region, thus extending its projected exhaust date and minimizing the number of communities that will have to undergo area code relief in the future.

A third area code shall comprise of southeastern Idaho and include the Salmon, Stanley, Twin Falls, Burley, Idaho Falls, and Pocatello rate centers. Southeastern Idaho, extending to the Montana, Wyoming and Utah borders, has two major local calling areas that surround the greater Magic Valley (Twin Falls) and Pocatello/Idaho Falls areas respectively. Together, these calling areas roughly balance those contained in the southwestern region and represent approximately 30% of Idaho's telephone customers. Most telephone customers (85%) in the southeastern region have local calling within or into the Magic Valley or Pocatello/Idaho Falls calling areas. The cities of Idaho Falls and Pocatello serve as the regional hubs for

southeastern Idaho. Because these cities are more than 235 miles and four and half hours from Boise, they naturally form a separate socioeconomic region.

4. Southwest Region Keeps 208. Under this three-way geographic split, the southwestern region will retain the 208 area code. This decision complies with Industry guidelines,¹⁷ which suggest that the region with the shortest exhaust projection should keep the current area code. Moreover, the southwestern region had more population growth and housing structures built from 1990-2000 than the rest of the state combined. This region also has approximately 41% of Idaho's population and 40% of Idaho's housing units.¹⁸ If additional NPAs are needed in the future, it will undoubtedly occur first in this southwestern region. To spread the likelihood of area code change out as evenly and fairly as possible, we find that the southwestern region should keep the 208 NPA.

5. Deviation from NPA Relief Planning Guidelines. We are aware that NeuStar may reject our three-way split relief plan because the projected exhausts of the three regions do not balance within 10 years as required by the FCC's industry numbering guidelines.¹⁹ Idaho is not the first state to find itself in this position. In 1998 the North American Numbering Council (NANC) and the FCC's Common Carrier Bureau approved Missouri's "314" NPA two-way relief plan even though it violated the industry's numbering guidelines requiring imbalances of greater than 15²⁰ years to be avoided.²¹ Both the NANC and the FCC appeared most concerned that Missouri's relief plan would create an early exhaust in less than five years without conservation measures yet approved the plan anyway.²² Despite the potential imbalance found

¹⁷ NPA Relief Planning and Notification Guidelines at § 5(d).

¹⁸ This Idaho Department of Commerce data can be accessed on the Internet at www.idoc.state.id.us. The statistics on the southwestern region were taken from Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington Counties.

¹⁹ NPA Relief Planning and Notification Guidelines at § 5(h).

²⁰ The latest version of the NPA Relief Planning and Notification Guidelines released on July 2, 2001 reduces the allowable NPA lifetime imbalances from 15 years to 10 years.

²¹ *In re Missouri Public Utility Commission Request for Relief for 314 Numbering Plan Area*, December 29, 1998, 17 FCC Daily Dig. 249, 1998 WL 902588. This can be located online at www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da982636.txt.

²² *Id.*

in our three-way split, our earliest exhaust is not projected to occur for 13 years. Moreover, the FCC recently directed the NANPA to release an area code to relieve Florida's "561" NPA, even though its relief plan²³ had a difference in NPA lifetimes of more than 15 years and barely met the industry guideline that relief options cover a period of at least 5 years.²⁴ We believe that special circumstances exist in Idaho, as they did in Missouri and Florida, which justify deviation from NPA Relief Planning Guidelines.

According to the NPA Relief Planning Guidelines, the choice of relief plans is a local decision.²⁵ As the FCC has noted, "state commissions are uniquely positioned to determine when, and in what form, to implement area code relief."²⁶ Unfortunately, the industry guidelines do not take into account customer input nor do they allow state commissions the flexibility to consider matters beyond those guidelines. The FCC recognized that it "must rely on state commissions to make area code relief decisions because of their unique position to ascertain and weigh the very local and granular information inherent in area code relief decision making."²⁷ As such, we believe that the Administrator and the FCC should give greater weight to our evidentiary process in determining area code relief.

While attempting to balance several public interest goals and after receiving extensive input from industry, local governments and affected consumers, we find that this plan best suits Idaho's individual needs and is in the State's best interest. Even though this three-way split relief plan may not strictly conform to the guideline provision concerning lifetime disparities of the three regions, it substantially complies with the NPA Relief Planning

²³ Florida's requested geographic split had projected area exhausts of 24.6 and 5.05 years.

²⁴ *In re Florida Public Service Com'n Petition for Expedited Decision for Release of New Area Code to Provide Relief for 561 Numbering Plan Area*, 16 F.C.C.R. 15,860, 16 FCC Rcd. 15,860, CC Docket No. 96-98, NSD File No. L-01-21 (August 28, 2001).

²⁵ NPA Relief Planning and Notification Guidelines at § 5(d).

²⁶ *In re Florida Public Service Com'n Petition for Expedited Decision for Release of New Area Code to Provide Relief for 561 Numbering Plan Area*, 16 F.C.C.R. 15,860, 16 FCC Rcd. 15,860, CC Docket No. 96-98, NSD File No. L-01-21 (August 28, 2001).

²⁷ FCC 00-429, *In the Matter of Numbering Resource Optimization Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717*, CC Dockets Nos. 96-98 and 99-200, Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200. (December 29, 2000), Paragraph 59.

Guidelines as a whole. It also creates long-lasting relief, which is one of the primary objectives of a relief plan.²⁸ In the event that the FCC does not timely administer number pooling to the Boise MSA (thus eliminating the need for a new area code altogether), we hope that the Administrator and the FCC will honor the local input that created this relief plan by releasing new area codes to Idaho.

6. No Grandfathering of Wireless Customers. AT&T Wireless, Qwest Wireless, VoiceStream Wireless and Cricket Communications requested that the Commission grandfather their cellular customers' 208 telephone numbers to avoid having to reprogram their handsets. However, grandfathering some wireless customers in a local calling area while other wireline and wireless customers change their area code would result in some local calls requiring 7-digits and others requiring 10-digits. The public overwhelmingly prefers 7-digit dialing and the Commission seeks to uniformly effectuate that wish. Consequently, the Commission finds that it is not appropriate to grandfather the current 208 telephone numbers of cellular customers located outside the southwestern Idaho region.

7. Proposed Implementation Schedule and Educational Plan. Commission Staff and Industry members shall create a plan with a proposed schedule for accomplishing technical changes, educating the public, and dates to begin permissive and mandatory dialing within the two new NPAs. Approximate dates of educational meetings and specific contacts to be made with the newspaper, radio and television media should be described in the plan. The plan should also include samples of the material to be distributed to media, customers and governmental bodies. Finally, this plan shall be filed with the Commission no later than April 1, 2002.

ULTIMATE FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Commission has authority under 47 C.F.R. § 52.19 to develop and recommend to the NANP Administrator an area code relief plan for Idaho's 208 NPA.

As set out in greater detail in the discussion above, Idaho does not need a new area code if the FCC can optimize and conserve the 5.78 million numbers remaining in the 208 NPA through number pooling.

The Commission finds it appropriate to geographically split Idaho into three regions. Given that it has the shortest projected exhaust and the fastest growth rate, the Commission

²⁸ NPA Relief Planning and Notification Guidelines at § 2.4.

orders that the southwestern region retain the 208 area code; northern and southeastern Idaho shall each receive new area codes.

ORDER

IT IS HEREBY ORDERED that in the event that the FCC does not timely implement number pooling in Idaho, the three-way geographic split described above is hereby approved.

IT IS FURTHER ORDERED that Idaho's southwestern region shall retain the 208 area code. Idaho's northern and southeastern regions shall each receive a new area code.

IT IS FURTHER ORDERED that the Idaho Telecommunications Industry and NANPA are directed to timely and efficiently implement the change with as much time and as little disruption for the affected customers as possible. To this end Staff, the Idaho Telecommunications Industry and NANPA shall develop a comprehensive education program and a schedule for permissive and mandatory dialing to be filed with this Commission by April 1, 2002.

THIS IS A FINAL ORDER. Any person interested in issues finally decided by this Order or in interlocutory Orders previously issued in Case No. GNR-T-00-36 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter finally decided in this Order or in interlocutory Orders previously issued in Case No. GNR-T-00-36. For purposes of filing a petition for reconsideration, this order shall become effective as of the service date. *Idaho Code* § 61-626. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 5th day of December 2001.

/s/

PAUL KJELLANDER, PRESIDENT

/s/

MARSHA H. SMITH, COMMISSIONER

/s/

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

/s/

Jean D. Jewell
Commission Secretary

O:GNRT0036_ln3

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 7th DAY OF DECEMBER 2001, SERVED THE FOREGOING **MOTION TO ACCEPT LATE FILED SUPPLEMENTAL COMMENTS**, IN CC DOCKET NO. 99-200, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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